

FEDERAL COMMUNICATIONS COMMISSION
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February 20, 2007

Mark N. Lipp, Esq.
Wiley Rein LLP, LLP
1776 K Street NW
Washington, DC 20006

Re: Way Broadcasting Licensee, LLP
KLIB (AM), Roseville, California
Facility Identification Number: 57702
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 6, 2007, on behalf of Way Broadcasting Licensee, LLP ("WBL"). WBL requests special temporary authority ("STA") to operate Station KLIB with a temporary nondirectional antenna.¹ In support of the request, WBL states that Station KLIB is paired with AM Expanded Band Station KFSG and, with the end of the five year period following licensing of the Expanded Band station, it discontinued operation of Station KLIB and removed the directional phasing equipment. WBL states that it recently was granted STA for continued operation of both stations, and requests STA for operation of Station KLIB with a nondirectional antenna and reduced power pending restoration of the licensed directional antenna system.

Accordingly, the request for STA IS HEREBY GRANTED. Station KLIB may operate with a temporary nondirectional antenna and reduced power not to exceed 1.25 kilowatts daytime and 0.125 kilowatt nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. WBL must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. The authority granted herein is without prejudice as to the Commission's final action with regard to the recently-filed pleadings in the AM Expanded Band proceeding². Any construction undertaken pursuant to this authority is entirely at WBL's own risk.

This authority expires on **August 20, 2007**.

¹ KLIB is licensed for operation on 1110 kHz with 5 kilowatts daytime and 0.5 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

² MM Docket No. 87-267; Petition filed March 27, 2006, on behalf of AM FM Radio Licences, LLC *et al*, and responsive pleadings.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Way Broadcasting Licensee, LLP